

**BERGEN COUNTY UTILITIES AUTHORITY
MINUTES OF THE REGULAR MEETING
SEPTEMBER 24, 2015**

**In the matter of the 438th Regular Meeting of
The Bergen County Utilities Authority**

1. The **proof of meeting notice** calling the September 24, 2015 meeting was read into the record by Jaime Placek, General Counsel.
2. Roll Call:

COMMISSIONERS PRESENT:

Ronald Phillips, Chairman
Catherine T. Bentz, Commissioner
James L. Cassella, Commissioner
Paul A. Juliano, Commissioner
David J. Lorenzo, Commissioner
Richard D. Schooler, Commissioner
George P. Zilocchi, Commissioner

ALSO PRESENT: Robert Laux, Executive Director
Richard Wierer, Deputy Executive Director
Authority Staff and Professional Consultants

3. Motion that the Minutes covering the July 23, 2015 Work Session be approved was moved by Commissioner Schooler and Seconded by Commissioner Cassella and was carried.

Motion that the Minutes covering the August 23, 2015 Special Work Session Meeting be approved was moved by Commissioner Schooler and Seconded by Commissioner Bentz and was carried.

4. Chairman Phillips opened the meeting to the public and asked if anyone present wished to be heard. No members of the public wished to speak. The meeting was closed to the public.

5. FINANCE AND LEGAL COMMITTEE:

Resolution 15-1-034– Approve bills and the claims supported by vouchers totaling \$4,391,846.89 for the months of August and September and authorize the Acting Treasurer to issue the necessary checks therefor, and to charge the accounts indicated, all as more fully set forth on the Acting Treasurer's check list. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-035 – Resolution of the Bergen County Utilities Authority making application to the Local Finance Board pursuant to N.J.S.A. 40A:5A-6. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner

Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-036– Resolution of the Bergen County Utilities Authority declaring its official intent to reimburse expenditures for project costs from the proceeds of debt obligations in connection with its participation in the New Jersey Environmental Infrastructure Trust Financing Program. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-037– Ratify and Approve Financial Actions directed by Matthew McCarter, Acting Treasurer, during the month of July 2015. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-038– Resolution of the Bergen County Utilities Authority declaring its official intent to work cooperatively with the Borough of Fort Lee, City of Hackensack, and Village of Ridgefield Park in the development of a regional Long Term Control Plan for Combined Sewer Management. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-1-039– Authorize the use of competitive contracting pursuant to N.J.S.A. 40A:11-4.3(a) for the procurement of Sludge Disposal Transportation Services. Motion to adopt the resolution was made by Commissioner Cassella and Seconded by Commissioner Schooler. A roll call was taken and the resolution was adopted as reflected in these minutes.

6. CONSTRUCTION & ENGINEERING COMMITTEE:

Resolution 15-2-050 – Award Contract 15-30 to Circuit Breaker Sales NE, Inc. - Furnish and Deliver High Voltage Racking Device (2 Years). Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-051 – Award Contract 15-27 to Raritan Group Inc. - Furnish and Deliver Actuators/Valves (2 Years). Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-052 – Award Contract 15-28 to Clariant Corporation. - Purchase of Clariant Replacement Catalysts (One Year). Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella and the August 23, 2015 Special Work Session Meeting. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-053 – Award Contract 15-29 to F.D. Pace - Stack Test for Cogeneration Engine 3 (1 Year). Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-054– Award Contract 15-08 to Wisdom Protective Service - Security Services Two Years with Two (2) One-Year Options. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-055 – Award Contract 100524-15 to Accelerated Technology Laboratories, Inc. - LIMS Computer Software Upgrade. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-056 – Award Contract 100479-15 to Joos Equipment Company - TurboTron Gas System. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-057 – Authorize Professional Engineering Services Agreement to Arcadis, US. – Edgewater Pumpstation Project. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-058 – Authorize Professional Engineering Services Agreement to Alaimo Group - Edgewater Forcemain Project. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-059 – Authorize Professional Appraisal Services Agreement to McNerney & Associates, Inc. – Edgewater Forcemain and Pumpstation Projects. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

Resolution 15-2-060 – Authorize 90-day extension of agreement with Spectraserve, Inc. – Contract No. 10-15A for Liquid Sludge Barge Transportation. Motion to adopt the resolution was made by Commissioner Lorenzo and Seconded by Commissioner Cassella. A roll call was taken and the resolution was adopted as reflected in these minutes.

7. PERSONNEL & ADMINISTRATION COMMITTEE:

Resolution 15-3-008 – Authorize stipend to Plant Manager Edward Switay. Motion to adopt the resolution was made by Commissioner Juliano and Seconded by Commissioner Bentz. A roll call was taken and the resolution was adopted as reflected in these minutes.

Commissioner Juliano requested that consideration be given to name one of the Commissioner Chamber’s in honor of past BCUA Chairman Andrew “Chuck” Vaccaro. It was decided that a committee would be formed to study the proposal and make recommendations to the full Board of Commissioners. The Committee includes Commissioner’s Juliano, Zilocchi, Lorenzo and Bentz.

- 8. Chairman Phillips announced a short recess to allow time for the Board Secretary to prepare minutes of this Regular Meeting.
- 9. Chairman Phillips announced the Regular Meeting would reconvene.
- 10. The Board Secretary then distributed proposed minutes of the September 24, 2015 regular Meeting for review by the Commissioners.
- 11. Move to approve the Minutes of the Regular Meeting of September 24, 2015 as distributed by the Secretary, such minutes to include this motion approving the minutes, without the requirement of further review or approval at a subsequent Regular Meeting. Motion to adopt the Minutes of the Regular Meeting September 24, 2015 was made by Commissioner Cassella and second by Commissioner Bentz and was unanimously carried.
- 12. Upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Resolution #	15-1-034	15-1-035	15-1-036	15-1-037	15-1-038	15-1-039	15-2-050	15-2-051
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	-	-	-	-	-	-	-	-
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y	Y

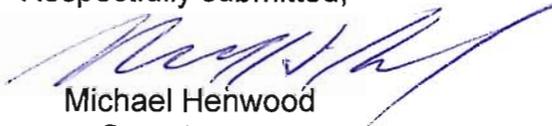
Resolution #	15-2-052	15-2-053	15-2-054	15-2-055	15-2-056	15-2-057	15-2-058	15-2-059
Chairman Phillips	Y	Y	Y	Y	Y	Y	Y	Y
V. Chair. DeLisio	-	-	-	-	-	-	-	-
Comm. Bentz	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Cassella	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Juliano	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Lorenzo	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Schooler	Y	Y	Y	Y	Y	Y	Y	Y
Comm. Zilocchi	Y	Y	Y	Y	Y	Y	Y	Y

BERGEN COUNTY UTILITIES AUTHORITY
Minutes of the Regular Meeting
September 24, 2015

Resolution #	15-2-060	15-3-008
Chairman Phillips	Y	Y
V. Chair. DeLisio	-	-
Comm. Bentz	Y	Y
Comm. Cassella	Y	Y
Comm. Juliano	Y	Y
Comm. Lorenzo	Y	Y
Comm. Schooler	Y	Y
Comm. Zilocchi	Y	Y

Y = Yes R = Recuse A = Abstain N = No - = Absent
--

Respectfully submitted,



Michael Henwood
Secretary

September 24, 2015

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION

APPLICANT'S
NAME: THE BERGEN COUNTY UTILITIES AUTHORITY

I, RONALD PHILLIPS, CHAIRMAN OF THE BERGEN COUNTY UTILITIES
AUTHORITY HEREBY DECLARE:

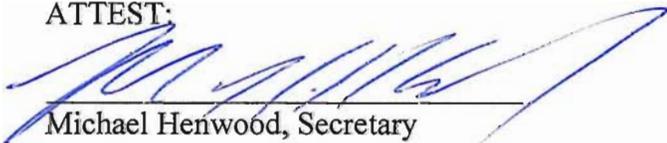
That the documents submitted herewith and the statements contained herein are true to
the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board
approved by the governing body of the Authority on September 24, 2015; and

That the governing body of the Authority has notified each participating local unit of its
submission of this application to the Local Finance Board and has made available to each, a true
copy of this application.

Ronald Phillips, Chairman

ATTEST:



Michael Henwood, Secretary

Date: September 24, 2015

**RESOLUTION OF THE BERGEN COUNTY UTILITIES
AUTHORITY MAKING APPLICATION TO THE LOCAL
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6**

WHEREAS, The Bergen County Utilities Authority (the "Authority") desires to make application to the Local Finance Board for its review and findings in connection with a proposed resolution authorizing the refunding of one or more series of outstanding bonds of the Authority;

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY THE BERGEN COUNTY UTILITIES AUTHORITY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Authority's Bond Counsel and financial advisor, along with other representatives of the Authority, are hereby authorized to prepare such application and to represent the Authority in matters pertaining thereto.

Section 2. The Secretary of the Authority is hereby directed to prepare and file a copy of the proposed resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and recommendations as provided by the applicable New Jersey Statute.

Recorded Vote

Commissioners	AYE	NO	ABSTAIN	NOT PRESENT
Ronald Phillips	✓			
Catherine T. Bentz	✓			
James I. Cassella	✓			✓
Louis J. DeLisio				✓
Paul A. Juliano	✓			
David J. Lorenzo	✓			
Richard D. Schooler	✓			
George P. Zilocchi	✓			

The foregoing is a true copy of a resolution adopted by the governing body of The Bergen County Utilities Authority on September 24, 2015.



Michael Henwood, Secretary

RESOLUTION OF THE BERGEN COUNTY UTILITIES AUTHORITY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, The Bergen County Utilities Authority (the “Borrower”) intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in Exhibit A attached hereto (the “Project”);

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower (the “Project Debt Obligations”) but may pay for certain costs of the Project (the “Project Costs”) prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

WHEREAS, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), will be issued by the New Jersey Environmental Infrastructure Trust (the “Issuer”) to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer’s obligations (the “Project Bonds”); and

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower as follows:

Section 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Borrower’s official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is not to exceed an aggregate amount of not to exceed \$36,000,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution shall take effect immediately.

EXHIBIT A

PROJECT DESCRIPTION

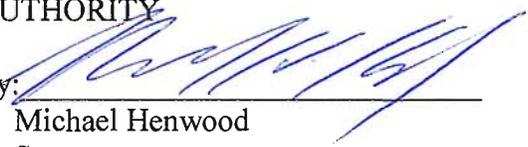
The consolidation of the Edgewater/Little Ferry service areas by converting the Edgewater water pollution control facility to a pumping station and diverting its service area to the Little Ferry Water Pollution Control Facility, and all work ancillary and necessary therefor.

CERTIFICATE

I, the undersigned Secretary of The Bergen County Utilities Authority, a body corporate and politic of the State of New Jersey, HEREBY CERTIFY that the foregoing resolution is a true copy of an original resolution which was duly adopted by said Authority at a meeting duly called and held on September 24, 2015 and at which a quorum was present and acted throughout, and that said copy has been compared by me with the original resolution recorded in the records of the Authority and that it is a correct transcript thereof and of the whole of said resolution, and that said original resolution has not been altered, amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of September 2015.

THE BERGEN COUNTY UTILITIES
AUTHORITY

By: 

Michael Henwood
Secretary

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority that the Financial Actions directed by Matthew McCarter, Acting Treasurer, during the month of July 2015 be and are hereby ratified and approved.

1. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of *N.J.S.A. 40:14B-14(b)*.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Bergen County Utilities Authority (“Authority”) plays an important role in providing these essential services; and

WHEREAS, operating within Bergen County, the Authority’s Water Pollution Control Division currently serves forty-seven (47) municipalities and numerous other private industrial subscribers; and

WHEREAS, the New Jersey Department of Environmental Protection (the “NJDEP”) issued final New Jersey Pollutant Discharge Elimination System (“NJPDES”) Surface Water Discharge Permits for Combined Sewer Management (“CSM”) to the Authority and tributary municipalities with combined sewer systems, namely the Borough of Fort Lee, the City of Hackensack, and the Borough of Ridgefield Park (collectively, the “Municipalities”), on March 12, 2015 with an effective date of July 1, 2015; and

WHEREAS, the Authority and others in the sewer district submitted an adjudicatory hearing and stay request to the NJDEP contesting certain sections of the NJPDES Permit; and

WHEREAS, the NJDEP accepted the adjudicatory hearing request, but denied the request to stay the enforcement of the NJPDES Permit, which means that the Authority and the others need to proceed with the requirements of their permit to avoid missing any deadlines imposed by the NJDEPS Permit; and

WHEREAS, the United States Environmental Protection Agency (the “EPA”) does not believe that the State of New Jersey has been moving fast enough to address this issue and, accordingly, there is the potential for the EPA to issue Consent Orders to any permittees in violation of any of the requirements or deadlines (deadlines) within their new permit; and

WHEREAS, the NJPDES Permit makes every permittee within the district responsible for assuring that every other permittee within the District comply with their NJPDES permit and, while this requirement is being contested by the Authority under the adjudicatory hearing request there is no date has been set for the hearing and the NJDEP denial of the Authority’s request for a stay means that this requirement remains in full force and effect; and

WHEREAS, the Authority has capacity limitations and thus must control the volume of wet weather flow entering its sewage treatment plant; and

WHEREAS, working cooperatively with the Municipalities will provide the Authority with detailed knowledge of the municipal components of the CSO Long Term Control Plan (the "LTCP") and, therefore, greater control of the wet weather flow volumes transported to the Authority for treatment; and

WHEREAS, an extension of the LTCP deadline from thirty-six (36) months to fifty-nine (59) months to the Authority and the Municipalities will provide an additional twenty-three (23) months to complete the LTCP therefore extending the cost of the program and reducing the potential for non-compliance with the task schedule; and

WHEREAS, the completion of a single LTCP should not change the level of effort required from the Authority under the NJPDES Permit, with the exception of the time and effort needed for coordination, compiling, and submission of the document(s) to the NJDEP; and

WHEREAS, the Municipalities will still be responsible for completion of their individual reports, which will then be compiled by the Authority and presented to the NJDEP as one document.

WHEREAS, the NJPDES Permit allows the LTCP to be completed using the Presumption (presumed will meet water quality requirements) or Demonstration (model to see what water quality can be obtained) approach; and

WHEREAS, the demonstrative approach should result in a lower level of CSO control and thus result in cost savings to municipalities in the implementation of their LTCP; and

WHEREAS, the Passaic Valley Sewerage Commission (the "PVSC") has invited combined sewer municipalities and authorities within the New Jersey Harbor Region to join them in a cost sharing program for the development of a baseline compliance monitoring program and a receiving water model that can be used in the demonstration approach; and

WHEREAS, while the Municipalities have each noted to the PVSC that they want to join this effort, this work will be completed under the PVSC's fifty-nine (59) month schedule; and

WHEREAS, the current difference in completion schedules (thirty-six (36) months vs fifty-nine (59) months) will not allow the Authority communities to fully benefit in this cooperative effort; and

WHEREAS, the fifty-nine (59) month schedule will allow the Authority and/or the Municipalities that wish to join in with the PVSC in the regional cooperative projects, including but not limited to baseline compliance monitoring and water quality modeling program; and

WHEREAS, the fifty-nine (59) month schedule will allow the Municipalities to use the demonstration approach in the development of the LTCP, which should result in lower costs for implementation of their LTCP once it is completed; and

WHEREAS, the Authority engaged the services of Hatch Matt MacDonald for the purpose of investigating and advising the Authority on the matter of the Authority working cooperatively with the Municipalities in the development of a single LTCP for the Authority's service district; and

WHEREAS, Hatch Matt MacDonald having completed its investigation as charged as recommended to the Authority that the Authority should work cooperatively with the Municipalities in the development of a single LTCP for the Authority's service district; and

WHEREAS, the Commissioners of the Authority believe, for the reasons enumerated above, that it is in the best interests of the Authority for the Authority to work cooperatively with the Municipalities in the development of a single LTCP for the Authority's service district.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of The Bergen County Utilities Authority as follows:

1. The Executive Director of the Authority shall be and is hereby authorized to execute and deliver written notification to the New Jersey Department of Environmental Protection that the Authority shall cooperate with the Borough of Fort Lee, the City of Hackensack and the Borough of Ridgefield Park in the development of a single Long Term Control Plan for the Authority's service district and request that the New Jersey Department of Environmental Protection provide an extension of time to the permit compliance schedule consistent with a fifty-nine (59) month Long Term Control Plan.

2. The Executive Director shall be and is hereby authorized to take any and all actions necessary to proceed with the negotiation of agreements with the Borough of Fort Lee, the City of Hackensack and the Borough of Ridgefield Park to jointly undertake the cooperative effort to develop a single Long Term Control Plan for the Authority's service district.

3. The Chairman shall be and is hereby authorized to execute each agreement negotiated by the Executive Director pursuant to this Resolution.

4. A copy of this Resolution and each agreement executed by the Chairman pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by each of the parties thereto.

5. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the Bergen County Utilities Authority (the "Authority") desires to contract with a vendor to provide liquid sludge transport services which service is a part of the process which the Authority is required to undertake as part of the liquid sludge disposal process; and

WHEREAS, the Authority has determined that it shall proceed in a "fair and open" manner in procuring liquid sludge transport services in order to obtain the best firm offer to provide liquid sludge transport services to the Authority; and

WHEREAS, the aforesaid services may be negotiated and awarded by the Authority without public advertising for bids and bidding therefore pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 et seq. the Authority may use competitive contracting in lieu of public bidding for procurement of liquid sludge transport services, the price of which exceeds the bids threshold; and

WHEREAS, under the competitive contracting process, the contract for liquid sludge transport services shall be awarded to the proposal that, when evaluated by the Authority, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than awarded solely on the lowest price; and

WHEREAS, the Authority desires to conduct the bidding process for the providing of liquid sludge transport services pursuant to the competitive contracting provisions as set forth by the Local Public Contracts Law N.J.S.A. 40A:11-4.1 et seq. and in the regulations governing the administration of the competitive contracting process contained in N.J.S.A. 5:34-4.1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate the competitive contracting process, the Authority shall pass a resolution authorizing the same; and

WHEREAS, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process be administered by a Qualified Purchasing Agent, pursuant to N.J.S.A. 40A:11-9, or, by legal counsel of the contracting unit, or by an administrator of the contracting unit.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

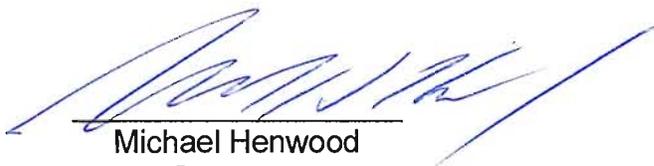
1. Dennis Bollhardt, QPA, be and is hereby authorized to initiate and utilize the competitive contracting provisions as set forth in the Local Public Contracts Law N.J.S.A. 40A:11-4.1 et seq. and in the regulations governing the administration of the competitive contracting process contained in N.J.S.A. 5:34-4.1 et seq. to procure a contract with a vendor to provide liquid sludge transport services.

2. A copy of this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director.

15-1-039

3. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver High Voltage Racking Device (for a One (1) Year Period)**, pursuant to and in accordance with **Contract No. 15-30**; and

WHEREAS, the following bid proposals were received by the Authority on **August 27, 2015** for **Contract No.15-30**:

Vendor	Total Amount Bid for One Year
Circuit Breaker Sales NE, Inc. Seymour, CT	\$86,050.50
Graybar Electric Co., Inc Teterboro, NJ	\$124,866.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals and has recommended that **Circuit Breaker Sales NE, Inc.** be awarded **Contract No. 15-30** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Circuit Breaker Sales NE, Inc.** constitutes the lowest complying and responsible bidder for **Contract No. 15-30**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

- 1. Circuit Breaker Sales NE, Inc.** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver High Voltage Racking Device**, constituting **Contract No. 15-30**, for a **One (1) Year Period** for a total sum of **\$86,050.50**.

15-2-050

2. The Chairman shall be and is hereby authorized to execute an agreement with **Circuit Breaker Sales NE, Inc.** of 79 Main Street, Seymour, CT 06483 to **Furnish and Deliver High Voltage Racking Device**, constituting **Contract No.15-30** for a **One (1) Year Period** for a total sum of **\$86,050.50**.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-30, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Circuit Breaker Sales NE, Inc. and the Authority.

7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: **September 24, 2015**

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-050

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT CAPITAL
W-200-80800-000

VENDOR CIRCUIT BREAKER SALES NE, INC.

CONTRACT NUMBER 15-30

REASON FURNISH AND DELIVER HIGH VOLTAGE
RACKING DEVICE

AMOUNT \$86,050.50

CONTRACT LENGTH 10/01/2015 TO 09/30/2016

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to **Furnish and Deliver Actuators/Valves (for a Two (2) Year Period)**, pursuant to and in accordance with **Contract No. 15-27**; and

WHEREAS, the following sole bid proposal was received by the Authority on **August 27, 2015** for **Contract No.15-27**:

Vendor	Total Amount Bid for Two (2) Years
Raritan Group, Inc. d/b/a Raritan Valve and Automation New Brunswick, NJ	\$949,028.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that Raritan Group, Inc. d/b/a Raritan Valve and Automation be awarded **Contract No. 15-27** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that Raritan Group, Inc. d/b/a Raritan Valve and Automation constitutes the lowest complying and responsible bidder for **Contract No. 15-27**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. **Raritan Group, Inc. d/b/a Raritan Valve and Automation** shall be and is hereby determined to be the lowest complying and responsible bidder to **Furnish and Deliver Actuators/Valves** constituting **Contract No. 15-27**, for a **Two (2) Year Period** for a total sum of **\$949,028.00**

2. The Chairman shall be and is hereby authorized to execute an agreement with **Raritan Group, Inc. d/b/a Raritan Valve and Automation** of PO Box 10120, New Brunswick,

15-2-051

NJ 08906 to **Furnish and Deliver Actuators/Valves**, constituting **Contract No.15-27** for a **Two (2) Year Period** for a total sum of **\$949,028.00**.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

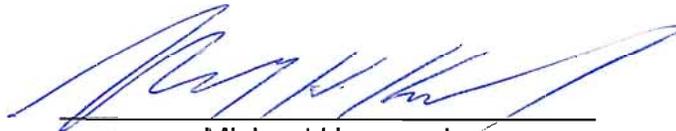
4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-27, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Raritan Group, Inc. d/b/a Raritan Valve and Automation and the Authority.

7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015

RESOLUTION #: 15-2-051

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT PIPES, VALVES, FITTINGS
W-630-63100-000

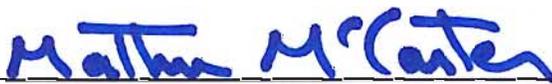
VENDOR RARITAN GROUP, INC. dba RARITAN
VALVE AND AUTOMATION

CONTRACT NUMBER 15-27

REASON FURNISH AND DELIVER ACTUATORS / VALVES

AMOUNT \$949,028.00

CONTRACT LENGTH 10/01/2015 TO 09/30/2017


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for the **Purchase of Clariant Replacement Catalysts (for a One (1) Year Period)**, pursuant to and in accordance with **Contract No. 15-28**; and

WHEREAS, the following sole bid proposal was received by the Authority on **September 15, 2015** for **Contract No.15-28**:

Vendor	Total Amount Bid for One (1) Year
Clariant Corporation Needham, MA	\$83,400.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the sole bid proposal and has recommended that **Clariant Corporation** be awarded **Contract No. 15-28** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Clariant Corporation** constitutes the lowest complying and responsible bidder for **Contract No. 15-28**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. **Clariant Corporation** shall be and is hereby determined to be the lowest complying and responsible bidder for the **Purchase of Clariant Replacement Catalysts** constituting **Contract No. 15-28** for a **One (1) Year Period** for a total sum of **\$83,400.00**.

2. The Chairman shall be and is hereby authorized to execute an agreement with **Clariant Corporation** of 32 Freemont Street, Needham, MA 02494 for the **Purchase of Clariant Replacement Catalysts**, constituting **Contract No.15-28** for a **One (1) Year Period** for a total sum of **\$83,400.00**.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-28, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Clariant Corporation and the Authority.

7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-052

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT COGENERATION
W-550-62450-000

VENDOR CLARIANT CORPORATION

CONTRACT NUMBER 15-28

REASON PURCHASE OF CLARIANT REPLACEMENT CATALYSTS

AMOUNT \$83,400.00

CONTRACT LENGTH 10/01/2015 TO 09/30/2016

Mather McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals to perform a **Stack Test for Cogeneration Engine 3 (for a One (1) Year Period)**, pursuant to and in accordance with **Contract No. 15-29**; and

WHEREAS, the following bid proposals were received by the Authority on **August 27, 2015** for **Contract No.15-29**:

Vendor	Total Amount Bid for One (1) Year
F.D. Pace d/b/a Pace Environmental Whitehall, PA	\$25,590.00
Intex Environmental Group, Inc. Pipersville, PA	\$31,398.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** has reviewed the bid proposals and has recommended that **F.D. Pace d/b/a Pace Environmental** be awarded **Contract No. 15-29** in accordance with N.J.S.A. 40:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **F.D. Pace d/b/a Pace Environmental** constitutes the lowest complying and responsible bidder for **Contract No. 15-29**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

- F.D. Pace d/b/a Pace Environmental** shall be and is hereby determined to be the lowest complying and responsible bidder to perform a **Stack Test for Cogeneration Engine 3** constituting **Contract No. 15-29**, for a **One (1) Year Period** for a total sum of **\$25,590.00**.

15-2-053

2. The Chairman shall be and is hereby authorized to execute an agreement with **F.D. Pace d/b/a Pace Environmental** of 5240 West Coplay Road, Whitehall, PA 18052 to perform a **Stack Test for Cogeneration Engine 3** constituting **Contract No.15-29** for a **One (1) Year Period** for a total sum of **\$25,590.00**.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-29, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by F.D. Pace d/b/a Pace Environmental and the Authority.

7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015

RESOLUTION #: 15-2-053

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

MISCELLANEOUS CONTRACTS
W-260-61100-000

VENDOR

F.D. PACE dba PACE ENVIRONMENTAL

CONTRACT NUMBER

15-29

REASON

STACK TEST FOR COGENERATION ENGINE 3

AMOUNT

\$25,590.00

CONTRACT LENGTH

10/01/2015 TO 09/30/2016



ACTING TREASURER

BERGEN COUNTY UTILITIES AUTHORITY RESOLUTION

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Security Services (Two (2) Year Contract with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 15-08**; and

WHEREAS, four (4) bid proposals were received by the Authority on July 16, 2015, the date set forth in the Invitation to Bid for the receipt of bid proposals pursuant to and in accordance with **Contract No. 15-08**; and

WHEREAS, as the Authority's **Qualified Purchasing Agent** and **Director of Security** recommended that certain bids received by the Authority for **Contract No. 15-08** be rejected as those bids were deemed incomplete, nonresponsive and/or nonconforming; and

WHEREAS, the Authority's **Qualified Purchasing Agent** and **Director of Security** indicated that the low bid received by the Authority for **Contract No. 15-08**, even if deemed fully complete and conforming by the Authority, substantially exceeded the estimated cost for the Authority for **Contract No. 15-08**;

WHEREAS, based upon the aforementioned recommendations of the Authority's **Qualified Purchasing Agent**, the Authority's Commissioners, by way of Resolution 15-2-044 adopted July 23, 2015, rejected all bids received July 16, 2015 for **Contract No. 15-08** for the aforementioned reasons as more fully set forth in Resolution 15-2-044 and authorized the Executive Director or his designee to re-advertise for the solicitation of bid proposals for **Contract No. 15-08 (Rebid)**, pursuant to N.J.S.A. 40A:14-1 et seq.; and

WHEREAS, the bid specifications for **Contract No. 15-08 (Rebid)** required all bidders to submit both a base bid as well as a bid on Alternate Bid "A" utilizing a lower minimum per hour cost of providing an Unarmed Guard, which Alternate Bid "A" was not included in the original bid specifications for **Contract No. 15-08**; and

WHEREAS, the following seven (7) base bid proposals were received by the Authority on **September 17, 2015** for **Contract No. 15-08 (Rebid)**:

Vendor	Total Amount Bid for Two (2) Years
Simaren Corp. d/b/a Wisdom Protective Services Kew Gardens, NY	\$498,120.00
MJake Security Services, L.L.C. Union, NJ	\$516,320.00
International Proactive Security, L.L.C. Fair Lawn, NJ	\$546,000.00
Motivated Security Services, Inc. Somerville, NJ	\$548,240.00

Universal Protection Services, Inc. New York, New York	\$554,120.00
APG Security Warwick, RI	\$560,840.00
Summit Security Uniondale, NY	\$615,440.00

; and

WHEREAS, the Authority's **Qualified Purchasing Agent** and **Director of Security** have reviewed both the base bid proposals submitted by each of the above listed bidders as well as the Alternate Bid "A" proposals submitted by each of the above listed bidders and, based upon that review, have recommended that **Wisdom Protective Services** should be awarded **Contract No. 15-08 (Rebid)** on its base bid submitted for **Contract No. 15-08 (Rebid)** in accordance with N.J.S.A. 40A:11-1 et seq., as the lowest complying and responsible bidder; and

WHEREAS, on the basis of the foregoing, the Authority has determined that **Wisdom Protective Services** constitutes the lowest complying and responsible bidder for **Contract No. 15-08 (Rebid)**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, publicly bid contracts are in compliance with the fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of this Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. **Wisdom Protective Services** shall be and is hereby determined to be the lowest complying and responsible bidder for **Security Services (Two (2) Years with Two (2) One (1) Year Options)**, constituting **Contract No. 15-08 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$498,120.00**.

2. The Chairman shall be and he is hereby authorized to execute an agreement with **Wisdom Protective Services** of **120-34 Queens Blvd., Suite 225, Kew Gardens, NY11415** for **Security Services (Two (2) Years with Two (2) One (1) Year Options)**, constituting **Contract No. 15-08 (Rebid)** for a **Two (2) Year Period** for a total sum of **\$498,120.00**.

3. The bid security of all unsuccessful bidders, if any, shall be returned in accordance with N.J.S.A. 40A:11-1 et seq.

15-2-054

4. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

5. A notice of this contract award shall be published in the form prescribed by law.

6. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with Contract No. 15-08 (Rebid), shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Wisdom Protective Services and the Authority.

7. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-054

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT PLANT SECURITY
A-620-55200-000

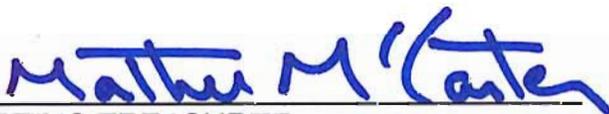
VENDOR WISDOM PROTECTIVE SERVICES

CONTRACT NUMBER 15-08

REASON SECURITY SERVICES

AMOUNT \$498,120.00

CONTRACT LENGTH 10/01/2015 TO 09/30/2017


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for **Laboratory Information Management System ("LIMS") Computer Software Upgrade**, pursuant to and in accordance with **Requisition No. 100524-15**; and

WHEREAS, the following sole proposal was received by the Authority on **August 19, 2015** for **Requisition No. 100524-15**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Accelerated Technology Laboratories, Inc. West End, NC	\$36,166.44

; and

WHEREAS, this procurement item is below the Authority's bid threshold of \$40,000.00; and

WHEREAS, this contract has been solicited through a fair and open process and it was publicly advertised and opened pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the sole bid proposal and has recommended that **Accelerated Technology Laboratories, Inc.** should be awarded **Requisition No. 100524-15** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Accelerated Technology Laboratories, Inc.** constitutes the lowest complying and responsible proposal for **Requisition No. 100524-15**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the award of the Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The proposal of **Accelerated Technology Laboratories, Inc.** in the sum of \$36,166.44 shall be and is hereby determined to be the lowest complying and responsible proposal for **LIMS Computer Software Upgrade** constituting **Requisition No.100524-15** for the total sum of **\$36,166.44**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Accelerated Technology Laboratories, Inc.** of **496 Holly Grove School Road, West End, NC 27376** for **LIMS Computer Software Upgrade**, constituting **Requisition No. 100524-15** for the total sum of **\$36,166.44**.

3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

4. A notice of this contract award shall be published in the form prescribed by law.

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 100524-15**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Accelerated Technology Laboratories, Inc. and the Authority.

6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-055

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT EQUIPMENT MAINTENANCE
W-240-56800-000

VENDOR ACCELERATED TECHNOLOGY LABORATORIES, INC.

CONTRACT NUMBER REQUISITION 100524-15

REASON LIMS COMPUTER SOFTWARE UPGRADE

AMOUNT \$36,166.44

CONTRACT LENGTH TO COMPLETION

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement on the website of the Bergen County Utilities Authority (the "Authority") and pursuant to specifications, the Authority solicited bid proposals for the **Turbotron Gas System**, pursuant to and in accordance with **Requisition No. 100479-15**; and

WHEREAS, the following sole proposal was received by the Authority on **September 2, 2015** for **Requisition No. 100479-15**:

<u>Vendor</u>	<u>Total Amount Bid</u>
Joos Equipment Company Paoli, PA	\$22,720.00

; and

WHEREAS, this procurement item is below the Authority's bid threshold of \$40,000.00; and

WHEREAS, this contract has been solicited through a fair and open process and it was publicly advertised and opened pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Authority's Qualified Purchasing Agent has reviewed the sole bid proposal and has recommended that **Joos Equipment Company** should be awarded **Requisition No.100479-15** as the lowest complying and responsible vendor, as defined under N.J.S.A. 40A:11-2 and allowable under the fair and open process pursuant to N.J.S.A. 19:44A-20.4; and

WHEREAS, on the basis of the foregoing, the Authority has determined that the proposal from **Joos Equipment Company** constitutes the lowest complying and responsible proposal for **Requisition No. 100479-15**, in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the award of the Contract is necessary for the efficient operation of the Authority; and

WHEREAS, the Authority's Acting Treasurer has certified that funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The proposal of **Joos Equipment Company** in the sum of \$22,720.00 shall be and is hereby determined to be the lowest complying and responsible proposal for the **Turbotron Gas System** constituting **Requisition No.100479-15** for the total sum of **\$22,720.00**.

2. The Executive Director shall be and is hereby authorized to execute an agreement with **Joos Equipment Company** of **37 N Valley Road, Bldg # 2, Suite 1, Paoli, PA 19301** for the **Turbotron Gas System**, constituting **Requisition No. 100479-15** for the total sum of **\$22,720.00**.

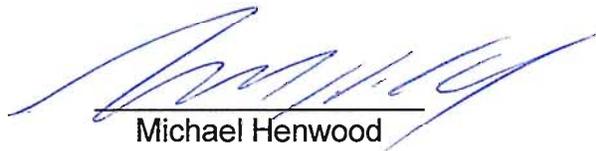
3. The Acting Treasurer's Certification that funds are available shall be maintained on file at the Authority and made a part hereof.

4. A notice of this contract award shall be published in the form prescribed by law.

5. A copy of this Resolution and the agreement executed pursuant to this Resolution, along with **Requisition No. 100479-15**, shall be placed on file and made available for public inspection in the office of the Executive Director upon execution by Joos Equipment Company and the Authority.

6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14b.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-056

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT GAS COMPRESSORS
W-550-61900-000

VENDOR JOOS EQUIPMENT COMPANY

CONTRACT NUMBER REQUISITION 100479-15

REASON TURBOTRON GAS SYSTEM

AMOUNT \$22,720.00

CONTRACT LENGTH TO COMPLETION

Mather M'Cartey
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known as that time as the Bergen County Sewerage Authority, was established by the Bergen County Board of Freeholders and chartered to clean-up polluted rivers and streams by replacing individual ineffective, costly, and outdated municipal wastewater treatment plants with a central, more modern, efficient, and effective treatment facility to be located in Little Ferry, New Jersey; and

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Authority plays an important role in providing these essential services within the Authority's sewer service district, which is comprised of fifty-two (52) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road; Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

WHEREAS, the Edgewater MUA's New Jersey Pollutant Discharge Elimination System ("NJPDES") Surface Water Discharge Permit into the Hudson River required additional treatment for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the Edgewater MUA entered into a consent order with the New Jersey Department of Environmental Protection (the "NJDEP") including a compliance plan to achieve the additional treatment required for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the compliance plan required the extension of the existing outfall sewer from the Edgewater MUA wastewater treatment plant at the bulkhead, and more than one thousand (1,000) feet into the Hudson River to provide an adequate dilution and mixing zone resulting in additional treatment; and

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sewage force main, and treat the wastewater at the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP has notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF on or before July 4, 2019; and

WHEREAS, the Authority has determined that certain engineering services are required to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, as part of the Edgewater WPCF Project, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to provide such services, including civil, structural, mechanical and electrical engineering services and architectural services incidental

thereto for the preliminary design and construction of the new raw sewage pump station to be located at the Edgewater WPCF ("Phase I Services"); and

WHEREAS, said engineering services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **ARCADIS US, Inc.** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineering services by Resolution 15-2-001 adopted January 21, 2015 by the Commissioners of the Authority; and

WHEREAS, based on **ARCADIS US, Inc.**'s Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work for the Edgewater WPCF Project; and

WHEREAS, **ARCADIS US, Inc.** has submitted to the Authority a proposal dated September 16, 2015 to provide certain professional engineering services for the Edgewater WPCF Project, for an amount not to exceed \$281,390.00 for the **Phase I Services** as more fully set forth and contained in said proposal, which proposal has been reviewed and Phase I thereof having been determined to be fair and reasonable by the Director of Water Pollution Control/Chief Engineer of the Authority; and

WHEREAS, the proposal included certain attachments, including hourly billing rates; and

WHEREAS, **ARCADIS US, Inc.** previously provided to the Authority a Certificate of Liability Insurance naming the Authority as additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **ARCADIS US, Inc.** to provide the **Phase I Services** to the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, the Authority desires to appoint and retain **ARCADIS US, Inc.** for the providing of **Phase I Services** to the Authority for an amount not to exceed the total sum of \$281,390.00 without further action by the Commissioners of the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Authority as follows:

1. That **ARCADIS US, Inc.** shall be and is hereby appointed to serve as **Engineer** to the Authority for the providing of **Phase I Services for the Edgewater WPCF Project** to the Authority for an amount not to exceed the total sum of \$281,390.00 without further action by the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **ARCADIS US, Inc.** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **ARCADIS US, Inc.** as **Engineer** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by ARCADIS US, Inc. and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$281,390.00** without further action by the Board of Commissioners.

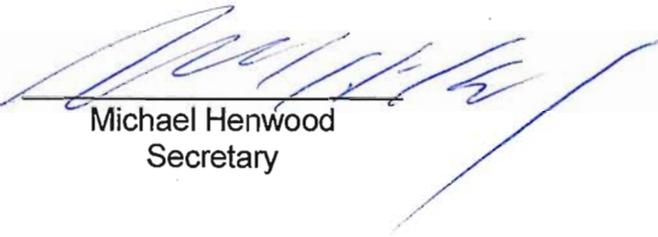
5. The Chief Financial Officer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. The formal action(s) of the Commissioners of Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

15-2-057

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015
RESOLUTION #: 15-2-057

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT CAPITAL
W-200-80800-000

VENDOR ARCADIS US, INC.

CONTRACT NUMBER _____

REASON PHASE I SERVICES - EDGEWATER WPCF PROJECT

AMOUNT \$281,390.00

CONTRACT LENGTH TO COMPLETION

Matthew McCarter
ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known as that time as the Bergen County Sewerage Authority, was established by the Bergen County Board of Freeholders and chartered to clean-up polluted rivers and streams by replacing individual ineffective, costly, and outdated municipal wastewater treatment plants with a central, more modern, efficient, and effective treatment facility to be located in Little Ferry, New Jersey; and

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Authority plays an important role in providing these essential services within the Authority's sewer service district, which is comprised of fifty-one (51) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road, Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

WHEREAS, the Edgewater MUA's New Jersey Pollutant Discharge Elimination System ("NJPDES") Surface Water Discharge Permit into the Hudson River required additional treatment for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the Edgewater MUA entered into a consent order with the New Jersey Department of Environmental Protection (the "NJDEP") including a compliance plan to achieve the additional treatment required for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the compliance plan required the extension of the existing outfall sewer from the Edgewater MUA wastewater treatment plant at the bulkhead, and more than one thousand (1,000) feet into the Hudson River to provide an adequate dilution and mixing zone resulting in additional treatment; and

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sewage force main, and treat the wastewater at the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP has notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF on or before July 4, 2019; and

WHEREAS, the Authority has determined that certain engineering services are required to advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, as part of the Edgewater WPCF Project, there exists the need to engage the services of an engineering firm authorized to provide professional engineering services in the State of New Jersey to provide such services, including civil, structural, mechanical and electrical engineering services and other professional services incidental

thereto for the completion of the preliminary design phase of the design and construction of the force main route as part of the Edgewater WPCF Project; and

WHEREAS, said engineering services are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **Alaimo Group** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide consulting engineering services by Resolution 15-2-001 adopted January 21, 2015 by the Commissioners of the Authority; and

WHEREAS, based on **Alaimo Group's** Statement of Qualifications and prior history, the Authority issued a Request for Proposal providing a scope of work for the preliminary design phase of the design and construction of the force main route as part of the Edgewater WPCF Project; and

WHEREAS, **Alaimo Group** has submitted to the Authority a proposal to provide the aforesaid professional engineering services dated June 2, 2015, for an amount not to exceed \$505,000.00 for the preliminary design phase of the design and construction of the force main route as part of the Edgewater WPCF Project as more fully set forth and contained in said proposal, which preliminary design phase as set forth in said proposal has been reviewed and determined to be fair and reasonable by the Director of Water Pollution Control/Chief Engineer of the Authority; and

WHEREAS, the proposal included certain attachments, including hourly billing rates; and

WHEREAS, **Alaimo Group** previously provided to the Authority a Certificate of Liability Insurance naming the Authority as additional insured, New Jersey Business Registration Certificate, Ownership Disclosure Statement, Affirmative Action Compliance Notice and Certificate of Employee Information Report; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **Alaimo Group** to provide these engineering services to the Authority in connection with the Edgewater WPCF Project; and

WHEREAS, the Authority desires to appoint and retain **Alaimo Group** for the providing of the engineering services to the Authority for the preliminary design phase of

the design and construction of the force main route as part of the Edgewater WPCF Project for an amount not to exceed the total sum of \$505,000.00; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Authority as follows:

1. That **Alaimo Group** shall be and is hereby appointed to serve as **Engineer** to the Authority for the providing of **Preliminary Design Services Phase of the Design and Construction of the Force Maine Route for the Edgewater WPCF Project** to the Authority for an amount not to exceed the total sum of \$505,000.00 without further action by the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **Alaimo Group** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **Alaimo Group** as **Engineer** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by Alaimo Group and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$505,000.00** without further action by the Board of Commissioners.

5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

15-2-058

7. The formal action(s) of the Commissioners of Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015

RESOLUTION #: 15-2-058

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT CAPITAL
W-200-80800-000

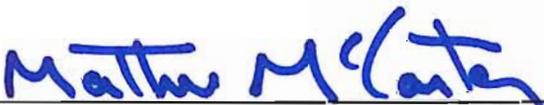
VENDOR ALAIMO GROUP

CONTRACT NUMBER _____

REASON PRELIMINARY DESIGN SERVICES PHASE OF THE
DESIGN AND CONSTRUCTION OF THE FORCE
MAIN ROUTE FOR THE EDGEWATER WPCF PROJECT

AMOUNT \$505,000.00

CONTRACT LENGTH TO COMPLETION


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, in 1947, the Bergen County Utilities Authority (the "Authority"), known as that time as the Bergen County Sewerage Authority, was established by the Bergen County Board of Freeholders and chartered to clean-up polluted rivers and streams by replacing individual ineffective, costly, and outdated municipal wastewater treatment plants with a central, more modern, efficient, and effective treatment facility to be located in Little Ferry, New Jersey; and

WHEREAS, the operation and maintenance of an effective and efficient water pollution control system represents a vital responsibility of government that is essential to ensuring the health, safety, and welfare of those whose daily life activities depend on such a system; and

WHEREAS, the Authority plays an important role in providing these essential services within the Authority's sewer service district, which is comprised of fifty-one (51) municipalities in the County of Bergen serving approximately 575,000 people; and

WHEREAS, in 2007, in accordance with its charter and in furtherance of providing these essential services, the Authority acquired from the Edgewater Municipal Utilities Authority (the "Edgewater MUA") the Edgewater wastewater treatment facility known as the Edgewater Water Pollution Control Facility ("Edgewater WPCF") located at 520 River Road, Edgewater Borough, Bergen County, New Jersey and the Authority continues to own and operate the Edgewater WPCF; and

WHEREAS, the Edgewater MUA's New Jersey Pollutant Discharge Elimination System ("NJPDES") Surface Water Discharge Permit into the Hudson River required additional treatment for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the Edgewater MUA entered into a consent order with the New Jersey Department of Environmental Protection (the "NJDEP") including a compliance plan to achieve the additional treatment required for the pollutants copper, zinc, and summer and winter ammonia; and

WHEREAS, the compliance plan required the extension of the existing outfall sewer from the Edgewater MUA wastewater treatment plant at the bulkhead, and more than one thousand (1,000) feet into the Hudson River to provide an adequate dilution and mixing zone resulting in additional treatment; and

WHEREAS, after acquiring the Edgewater WPCF, the Authority assumed responsibility for the compliance plan for the outfall extension project; and

WHEREAS, in order to achieve compliance with the Copper, Ammonia-Nitrogen and Zinc effluent limitations, the Edgewater WPCF originally proposed to extend the outfall to provide sufficient mixing/dilution but due to unforeseen difficulties obtaining permits necessary to construct the extended outfall, specifically the denial by the Army Corps of Engineers of the request of the Authority for the issuance of a permit to extend the outfall further and deeper into the Hudson River, the Authority has proposed an alternative to convert the Edgewater WPCF into a sewage pumping station, construct a sewage force main, and treat the wastewater at the Little Ferry Water Pollution Control Facility (the "Little Ferry WPCF"), which is another facility owned and operated by the Authority located at the Foot of Mehrhof Road, Borough of Little Ferry, Bergen County, New Jersey and the Authority would then close the Edgewater WPCF and direct all wastewater to the Little Ferry WPCF for treatment (the "Edgewater WPCF Project"); and

WHEREAS, the NJDEP has notified the Authority that it is the position of the NJDEP that the Edgewater WPCF may violate the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. ("Act") and the regulations promulgated pursuant thereto, specifically N.J.A.C. 7:14A-1 et seq., if it is not permitted to extend the outfall further and deeper into the Hudson River; and

WHEREAS, on March 3, 2015, a meeting was conducted with representatives of the Authority and the NJDEP to discuss the proposal of the elimination of the Edgewater WPCF consistent with the Edgewater WPCF Project; and

WHEREAS, as a result of the March 3, 2015 meeting and due to the Army Corps of Engineers denying the Authority a permit to extend the outfall into the Hudson River, the NJDEP entered into an Administrative Consent Order (the "2015 ACO") with the Authority on May 29, 2015 in order to memorialize an engineering and construction schedule for the Edgewater WPCF Project and provide for Interim Enforcement Effluent Limitations for Copper, Ammonia-Nitrogen and Zinc; and

WHEREAS, the wastewater flows from the Edgewater WPCF are now proposed to be treated in a more efficient, effective, and cost effective manner at the Authority's Little Ferry WPCF on or before July 4, 2019; and

WHEREAS, as part of the Edgewater WPCF Project, the Authority has determined that it requires **Professional Appraisal Services** to be performed by a real estate appraiser licensed by the State of New Jersey in connection with the Edgewater WPCF Project; and

WHEREAS, the **Professional Appraisal Services** required to be provided to the Authority include the providing of appraisals for properties which the Authority will be required to acquire title to, or acquire an easement or other interest in, in order to

advance the Edgewater WPCF Project pursuant to and consistent with the terms of the 2015 ACO; and

WHEREAS, said **Professional Appraisal Services** are recognized as "professional services" as same shall be rendered by person(s) authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6); and

WHEREAS, these services were solicited through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq. as **McNerney & Associates, Inc.** responded to the Authority's publicly advertised "Request for Qualifications" and was qualified as competent to provide real estate valuation appraisal services by Resolution 15-1-002 adopted January 21, 2015 by the Commissioners of the Authority; and

WHEREAS, **McNerney & Associates, Inc.** has submitted a Statement of Qualifications and the Commissioners of the Authority have determined that **McNerney & Associates, Inc.** is competent, qualified and experienced to provide **Professional Appraisal Services** in connection with the Edgewater WPCF Project to the Authority; and

WHEREAS, the Authority has determined, based upon the foregoing, that it is necessary for the efficient operation of the Authority to retain the services of **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** in connection with the Edgewater WPCF Project to the Authority; and

WHEREAS, the Authority desires to appoint and retain **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project which **Professional Appraisal Services** shall include the providing of certified real estate valuation appraisals for all properties as requested by the Authority as part of the Edgewater WPCF Project for an amount not to exceed the total sum of \$17,500.00 without further action by the Commissioners of the Authority; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. provides that a contract for professional engineering services may be awarded without competitive bidding as a "professional service"; and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services and the contract itself be available for public inspection; and

WHEREAS, the Acting Treasurer of the Authority has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Authority as follows:

1. That **McNerney & Associates, Inc.** shall be and is hereby engaged to provide **Professional Appraisal Services** to the Authority in connection with the Edgewater WPCF Project for an amount of compensation not to exceed the total sum of \$17,500.00 without further action by the Commissioners of the Authority.

2. The Chairman shall be and is hereby authorized to execute an agreement, similar in form and substance to the agreement on file at the Authority, by and among the Authority and **McNerney & Associates, Inc.** memorializing the scope of services and hourly billing rates to be paid for such services as is acceptable to the Authority, as evidenced by the Chairman's signature thereon.

3. A copy of this Resolution and the agreement retaining **McNerney & Associates, Inc.** to provide **Professional Appraisal Services** pursuant to this Resolution shall be placed on file and made available for public inspection in the Office of the Executive Director, upon execution by McNerney & Associates, Inc. and the Authority.

4. The total amount authorized to be paid pursuant to the contract herein awarded shall not exceed the total sum of **\$17,500.00** without further action by the Board of Commissioners.

5. The Acting Treasurer's Certification that funds are available shall be placed on file and made available for public inspection at the Authority and made a part hereof.

6. A notice of this contract award shall be published in the form prescribed by law.

7. The formal action(s) of the Commissioners of Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015

RESOLUTION #: 15-2-059

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE

X

FUNDS ARE NOT AVAILABLE

BUDGET ACCOUNT

CAPITAL
W-200-80800-000

VENDOR

MCNERENEY & ASSOCIATES

CONTRACT NUMBER

REASON

PROFESSIONAL APPRAISAL SERVICES

AMOUNT

\$17,500.00

CONTRACT LENGTH

TO COMPLETION


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, on prior occasion, upon advertisement and pursuant to specifications, the Bergen County Utilities Authority (the "Authority") solicited bid proposals for **Liquid Sewage Sludge Barge Transport (Three (3) Year Contract with Two (2) One (1) Year Options)**, pursuant to and in accordance with **Contract No. 10-15A**; and

WHEREAS, by way of Resolution dated September 23, 2010, **Spectraserve Inc.** was determined to be the lowest complying and responsible bidder for **Liquid Sewage Sludge Barge Transport**, constituting **Contract No. 10-15A** for a total contract price of \$29.80/1000 gallons for a Three (3) Year Period; and for the two (2) optional years for a total contract price of \$32.84/1000 gallons for **Option Year Five (5)** of the contract; and

WHEREAS, by way of Resolution dated September 23, 2010, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, constituting **Contract No. 10-15A** for a total contract price of **\$29.80/1000 gallons** for the **initial Three Year Period**; and

WHEREAS, pursuant to the terms of **Contract No. 10-15A**, the Authority had the option to extend the contract for **Liquid Sewage Sludge Barge Transport** with **Spectraserve Inc.** for two (2) additional **One (1) Year Periods**; and

WHEREAS, by way of Resolution 13-2-062 dated September 26, 2013, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, pursuant to and in accordance with **Contract No. 10-15A**, exercising the first **One (1) Year Option, Option Year Four (4)** of the contract, by the Authority to extend the contract for an additional **One (1) Year Period** (from October 6, 2013 through October 5, 2014) for a total contract price of **\$31.29/1000 gallons** for the **One (1) Year Period**; and

WHEREAS, by way of Resolution 14-2-054 dated September 25, 2014, the Chairman was authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport**, pursuant to and in accordance with **Contract No. 10-15A**, exercising the second **One Year Option, Option Year Five (5)** of the contract, by the Authority to extend the contract for an additional **One (1) Year Period** (from October 6, 2014 through October 5, 2015) for a total contract price of **\$32.84/1000 gallons** for the **One (1) Year Period**; and

WHEREAS, the Executive Director of the Authority has recommended that the contract for **Liquid Sewage Sludge Barge Transport** with **Spectraserve Inc.** be extended for a period of time not to exceed ninety (90) days on the same terms and conditions for **Option Year Five (5)** of the contract, including the total contract price of **\$32.84/1000 gallons** for the ninety (90) day extension period without further approval by the Commissioners of the Authority; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15(44) the Authority finds **Spectraserve Inc.** has performed **Contract No. 10-15A** for **Liquid Sewage Sludge Barge Transport** in an effective and efficient manner; and

WHEREAS, the extending of the term of **Contract No. 10-15A** with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport** for a period of time not to exceed ninety (90) days is necessary for the efficient operation of the Authority as the Authority requires the additional time in order to enable the Authority to complete the specifications for the new contract and to then advertise and award the new contract in accordance with applicable New Jersey law; and

WHEREAS, **Spectraserv, Inc.** has expressed to the Authority its willingness to enter into an agreement with the Authority extending the term of **Contract No. 10-15A** for a period of time not to exceed ninety (90) days on the same terms and conditions of **Option Year Five (5)** of the contract including the total contract price of **\$32.84/1000 gallons**; and

WHEREAS, the Chief Financial Officer of the Authority has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bergen County Utilities Authority as follows:

1. The Executive Director shall be and he is hereby authorized to execute an agreement with **Spectraserve Inc.** for **Liquid Sewage Sludge Barge Transport** extending the term of **Option Year Five (5)** of **Contract No. 10-15A** for an additional period of time not to exceed ninety (90) days (commencing October 6, 2015 and expiring January 3, 2016) in the total sum of **\$32.84/1000 gallons**.
2. All other terms of **Contract No. 10-15A**, including compensation to be paid by the Authority to **Spectraserve Inc.** for the providing of **Liquid Sewage Sludge Barge Transport** to the Authority pursuant to **Option Year Five (5)** of **Contract No. 10-15A**, shall remain in full force and effect without modification.
3. The Chief Financial Officer's Certification that funds are available shall be on file at the Authority and made a part hereof.
4. A notice of this contract award shall be published in the form prescribed by law.
5. A copy of this Resolution and the Agreement executed pursuant to this Resolution, along with Contract No. 10-15A, shall be placed on file and made available for public inspection in the Office of the Executive Director upon execution by Spectraserve Inc. and the Authority.
6. The formal action(s) of the Commissioners of the Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

15-2-060

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting of September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015

BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION DATE: 09/24/2015

RESOLUTION #: 15-2-060

THIS IS TO CERTIFY TO THE COMMISSIONERS OF THE BERGEN COUNTY UTILITIES
AUTHORITY THAT THERE ARE:

FUNDS AVAILABLE X

FUNDS ARE NOT AVAILABLE _____

BUDGET ACCOUNT SLUDGE DISPOSAL
W-670-60500-000

VENDOR SPECTRASERV, INC.

CONTRACT NUMBER 10-15A 90 DAY CONTRACT EXTENSION

REASON LIQUID SEWAGE SLUDGE BARGE TRANSPORT

AMOUNT 32.84 / 1000 GALLONS

CONTRACT LENGTH 10/06/2015 TO 01/03/2016


ACTING TREASURER

**BERGEN COUNTY UTILITIES AUTHORITY
RESOLUTION**

WHEREAS, the **Authority** serves as a body politic and corporate constituting a political subdivision of the State of New Jersey, existing under and by virtue of N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, N.J.S.A. 40:14B-18 provides, *inter alia*, that the **Authority** may “employ, full or part-time, a secretary, an executive director, [and] managerial personnel . . . as the Authority may determine necessary for its efficient operations, and it shall determine their qualifications, terms of office, for periods not to exceed five years, duties and compensation and enter into contracts therefore, for periods not to exceed five years, as it determines necessary”; and

WHEREAS, **Edward Switay** has been employed by the **Authority** for over thirty-three (33) years and presently serves in the capacity of Plant Manager; and

WHEREAS, **Edward Switay** holds all the legally required licenses for the position of Plant Manager and has fulfilled the duties and obligations of Plant Manager in an exemplary manner at all times in the past; and

WHEREAS, in or about March 2015, **Edward Switay** announced his intention to retire from the Authority, effective July 1, 2015; and

WHEREAS, in order to seek a qualified and competent replacement for **Edward Switay** the **Authority** advertised and interviewed candidates; and

WHEREAS, due to the amount of time necessary to find and appoint a suitable replacement to serve as Plant Manager it was in the **Authority’s** best interests to seek to delay the retirement of **Edward Switay**; and

WHEREAS, the position of Plant Manager is essential to the **Authority’s** performance of its mission and legal obligations under the rules and regulations as promulgated by the State and Federal Departments of Environmental Protection and other applicable law; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of The Bergen County Utilities Authority as follows:

1. To induce **Edward Switay** to delay his retirement the **Authority** hereby authorizes a Five-Thousand Dollar (\$5,000) stipend in addition to his annual license incentive payment of Three-Thousand Five Hundred Dollars (\$3,500) for his S-4, C-4, N-2 and Boiler licenses which shall not be considered part of his pensionable base salary and out of which standard tax withholdings shall be made as required by law; and

15-3-008

2. The formal action(s) of the Commissioners of The Bergen County Utilities Authority embodied herein are expressly contingent upon and subject to the provisions N.J.S.A. 40:14B-14(b).

I hereby certify the foregoing to be a true copy of the Resolution adopted by the Bergen County Utilities Authority at its meeting on September 24, 2015.



Michael Henwood
Secretary

Dated: September 24, 2015